20. In view of these conclusions reached by me; I make the following Award.

AWARD.

This Reference and the demands made by Syed Afiz and the First Party Union on his behalf do stand rejected with no order as to costs.

(Sd.) P. T. KADKOL,

Presiding Officer,

Labour Court, Bangalore.

"Copy

P. T. KADKOL,

Presiding Officer,

Labour Court, Bangalore.

ORDER

Bangalore dated 18th Decmeber 1967.

S. O. 1.—WHEREAS by State Government Order No. FCL 50 LLD 67, dated 15th February 1967, the Industrial Dispute between the Workmen and the Management of M/s. G. Basappa Son & Co., Tumkur Brick & Tile Works (Regd) Tumkur was referred to the Labour Court, Bangalore for adjudication;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette.*

[No. FCL 50 LLD 67.]

By Order and in the name of the Governor of Mysore,

1668 G. G. PUROHIT, *Under Secy.*

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Shri K. Abdul Jabbar, General Merchant G 9. Mysore Road, Bangalore-18.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 1021/67-68 dated 11th December 1967 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 11th day of December 1967.

Present :

Sri P. T. Kadkol, B.SC., LL.B. ... *Presiding Officer.*

Reference No. 14 of 1967.

Shri K. A. Samad, s/o Shri Mohamed Zackria, No. 85 Cross, Mysore Road, Bangalore. ... *First Party.*

Vs.

The Management, Shri K. Abdul Jabbar, General Merchant, G 9, Mysore Road, Bangalore-18. ... *Second Party.*

Reference : Government Order No. LMA 52 LLD 67, dated 15th February 1967.

AWARD.

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of Shri K Abdul Jabbar, General Merchant, G. 9 Mysore Road, Bangalore-18, have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 52 LLD 67, dated 15th February 1967, setting out the following points of dispute for adjudication :—

"Is Sri K. Abdul Jabbar, General Merchant, No. G 9 Mysore Road, Bangalore-18 justified in dismissing Sri K. A. Samad ?

If not, what is the relief the workman is entitled to ?"

2. The cause of the aggrieved workman has not been sponsored by any trade union or by an appreciable number of workmen of the second party establishment. The order of reference hasbeen made under Section 10 (1) (c) of the Industrial Disputes Act, 1947, presumably read with Section 2-A thereof. Hence Sri K. A. Samad is the First Party and the Management of Sri K. Abdul Jabbar is the second party in this proceeding.

3. In response to the notice issued by the Court the workman K. A. Samad has filed his statement of claims dated 25th August 1967 and the management has submitted its statement of objections dated 26th September 1967. On these pleadings some issues were framed and set down for hearing on 4th December 1967 (*Vide* Order Sheet). On the same day the workman Sri. K. A. Samad examined himself (W. W. 1) produced four documents (Ex. W. 1 to W 4) and closed his side.

4. On 7th December 1967 when the case was called on for hearing both the parties put in a joint memorandum of settlement marked Ex. A. It is seen from the terms of the settlement that the second party has agreed to pay and the first party has agreed to receive a sum of Rs. 150 in full and final settlement of the claims of the first Party. The agreed sum of Rs. 150 was also paid to the first party by the second party in court. I am of opinion that the settlement is fair, reasonable and proper. I accept it.

5. In the result I make an Award as under :—

AWARD

Reference is accepted. Award is made between the parties in terms of the memorandum of settlement, Ex. A., which should be annexed to this Award and be deemed as forming part thereof. Parties do bear their own costs.

P. T. KADKOL,
Presiding Officer,
Labour Court, Bangalore.

" Copy "

Presiding Officer,
Labour Court, Bangalore.

BEFORE THE HON'BLE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Referennce No. 14 *of* 1967.

Sri K. A. Samad, s/o Sri Mohammed Zackria, No. 85, Cross Mysore Road, Bangalore-18. ... ***First Party.***

Vs

The Management of Sri K. Abdul Jabbar, General Merchant, G. 9 Mysore Road, Bangalore-18 ... ***Second Party.***

Joint Memorandum of settlement.

The above named parties beg to submit as follows:

The above dispute has been settled out of court between the parties. The terms of the settlement are as follows:—

The second party agrees to pay the first party a sum of Rs. 150 (Rupees One Hundred and fifty) only in full and final settlement of the claim.

The first party agrees to withdraw from this dispute and the question of re-instatement is not pressed.

The Second party has paid Rs. 150 (one hundred and fifty) only to first party, today.

Both the parties hereby prays the Hon'ble Labour Court to pass an Award in terms of the settlement.

First Party: Sd/ K.A. Samad
Worker.

Bangalore-
Dated 7-12-1967.

Second Party: Sd/ K. A. Jabbar
Proprietor.
7-12-67.

Filed, Recorded and Marked Ex. A. Witness: 1. Sd/K. Amanullah

Intd. P. T. K.
7/12/67.

2. Sd/M. Lathif.

"COPY"

Presiding Officer,
Labour Court, Bangalore.